IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Criminal Writ Petition No.1111 of 2005

Shri Ganesh Babusing Rathod & ors. Petitioners

Vs.

State of Maharashtra & ors. Respondents

Mr.J.M.Puranik & M/s.Sreeji & Lal for petitioners.
Mr.A.S.Gadkari, APP for State.
Mr.D.P.Dindikar for Resp.No.4.
Mr.Ganesh Gole for Resp.No.5

CORAM: B.H.MARLAPALLE & SMT.R.S.DALVI,JJ.

February 23, 2006.

P.C.

. We have heard the learned counsel for the petitioners. The affidavit-in-reply filed by Mr. Fattesingh Sahanrao Gaikwad, SDPO, Murbad Division, Thane Rural shows that the investigations were carried out into the FIR No.I-28/2005 and subsequently charge-sheet has been submitted to the Competent Court. Therefore, prayer clauses (a) (i) and (ii), (b), (c), (d) and (e) do not survive.

. So far as the complaint dated 30/8/2004 filed by petitioner no.3 is concerned, we have noted that the allegation is against the Sarpanch-Respondent No.4 for having sold the Government land admeasuring 52 Rs. from Survey No.26-A, Hissa No.16 to one Mr.

Alwyn Chacko and the other strip of land admeasuring 2 Rs. purportedly purchased by Maharashtra Shikshan Prasarak Mandal and sold by Respondent No.4 to the said Mr.Chacko. If the Government land has been sold by Respondent No.4, we are sure the concerned Revenue authorities would certainly take cognizance of it and we are informed by the Respondent Nos.4 and 5 that the Collector conducted enquiry and found no substance in the said allegations. Regarding sale of land belonging to Maharashtra Shikshan Prasarak Mandal, we are informed that the said Mandal is a Public Trust registered under the Bombay Public Trust Act, 1950 and, therefore, the Asst. Charity Commissioner is competent to examine such a complaint if the concerned petitioner approaches the said authority.

. Then there is a complaint dated 17/9/2004 regarding the alleged incident on a primary school student. This complaint has been addressed by one Ganesh Babusingh Rathod i.e. the petitioner no.1 to the Block Development Officer, Panchayat Samiti, Kalyan. If the petitioner submits a copy of the said complaint to the Chief Executive Officer, Zilla Parishad, Thane within a period of one week from

today, we direct the Chief Executive Officer, Zilla Parishad, Thane to conduct an enquiry into the same and take appropriate steps as are required in law within two months therefrom.

. The complaint dated 17/1/2005 filed regarding the abduction of Sharad Eknath Bhoir and alleged extortion of Rs.4500/- from him shall be registered and investigated into by the concerned police station if the petitioner approaches to the said police station within a period of two weeks from today.

. Save and except the above directions, the petition stands rejected.

(SMT.R.S.DALVI,J.) (B.H.MARLAPALLE,J.)